

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMAZON.COM, INC., a Delaware
corporation; and AMAZON.COM SERVICES
LLC, a Delaware limited liability company,

Plaintiffs,

v.

YAN LI, an individual; and XIWEI CHEN, an
individual; and DOES 1-10,

Defendants.

No. 2:23-cv-00486-JHC

ORDER GRANTING PLAINTIFFS' *EX*
PARTE MOTION FOR DEFAULT
JUDGMENT, AND PERMANENT
INJUNCTION AGAINST DEFENDANTS

THIS MATTER comes before the Court on Plaintiffs' *Ex Parte* Motion for Default Judgment and Permanent Injunction against Defendants. Dkt. # 47. The Court, having considered Plaintiffs' Motion, this matter's files and records, the governing law, and being fully advised, concludes that Plaintiffs have established the liability of Defendants and Plaintiffs' entitlement to damages and permanent injunction. The Court rules as follows:

1. Defendants are in default. Dkt. # 44.
2. This Court has subject matter jurisdiction over this matter and personal jurisdiction over Defendants.

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3. The Court agrees with and adopts Plaintiffs analysis of the *Eitel* factors, *see* Dkt. # 47, which weigh in favor of the entry of default judgment.

4. Accordingly, Plaintiffs' Motion is GRANTED and JUDGMENT is entered against Defendants on Plaintiffs' Claim for Misrepresentation of Copyright Infringement (17 U.S.C. § 512(f)).

5. The Court finds Plaintiffs' requested attorneys' fees incurrent in connection with this action to be reasonable.

6. Accordingly, the Court awards Plaintiffs monetary recovery in connection with this action in the amount of \$44,226 in attorneys' fees pursuant to 17 U.S.C. § 512(f).

7. Defendants and their officers, agents, servants, employees, and attorneys, and all others in active concert or participation with them who receive actual notice of the order, are hereby permanently ENJOINED AND RESTRAINED from:

- a. Submitting to Amazon any takedown notifications based on false assertions of rights of copyright ownership by any means or otherwise violating 17 U.S.C. § 512(f), whether as written submissions, through the "Report Infringement" form, or using the "Report a Violation" tool;
- b. enrolling or attempting to enroll in Amazon Brand Registry; and
- c. assisting, aiding, or abetting any other person or entity in engaging or performing any of the activities referred to in subparagraphs (a) through (b) above.

8. The Court hereby retains jurisdiction over this case for the purpose of enforcing this Order and Injunction, and for any supplemental proceedings that may be authorized by law.

9. Plaintiffs' counsel is hereby directed to serve a copy of this Order and Injunction on Defendants' last known email addresses registered with Amazon and their payment service providers, which Plaintiffs used to complete service.

SO ORDERED this 23rd day of September, 2024.

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A handwritten signature in black ink, reading "John H. Chun", is positioned above a horizontal line. The signature is written in a cursive, flowing style.

JOHN H. CHUN
UNITED STATES DISTRICT JUDGE